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D.B. CIVIL WRIT PETITION NO. 800/2004.
U.O.I. VS. MRS. ALIAMMA MATHEW & ORS.

DATED :11/12/2006.

HON'BLE MR. RAJESH BALIA, J.
HON'BLE MR. GOPAL KRISHAN VYAS J.

Mr.V.K.Mathur for UOI
Mr.Kamal Dave for the respondent.

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Learned counsel for the parties state that controversy raised in this writ petition is a similar to one raised in D.B.Civil Special Appeal No.5179/2004 R.P.Sarasar Vs. Union of India and Ors., alongwith cluster of petitions which were decided by the Division Bench at Jaipur on 21.12.2004 upholding the order of Tribunal by which the order of appellants withdrawing the enhanced pay and allowances granted to the respondent applicant w.e.f. respective dates has been set aside as having been passed in breach of principle of natural justice and prohibited the appellants from making any recovery.

According to learned counsel for the respondent the aforesaid judgment of the High Court has not being subjected to appeal and has been become final.

In view of the aforesaid, this writ petition fails and is hereby dismissed following aforesaid decision..

No costs.

[GOPAL KRISHAN VYAS],J. **[RAJESH BALIA], J.**

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